

# COMBINED DECLARATION AND POWER OF ATTORNEY

FOR UTILITY/DESIGN/CIP/PCT NATIONAL/PLANT/ORIGINAL/  
SUBSTITUTE/SUPPLEMENTAL DECLARATIONS

COPY

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**"Methods and Kits for Detecting Target Nucleic Acids Using Modified Oligonucleotide Probes"**;

the specification of which

[X] is attached hereto.

[ ] was filed on \_\_\_\_\_ as U.S. Application No. \_\_\_\_\_

[ ] was filed as PCT International Application No. PCT/\_\_\_\_\_ / \_\_\_\_\_ on \_\_\_\_\_

and (if applicable to U.S. or PCT application) was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56. I hereby claim foreign priority benefits under 35 U.S.C. § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

## PRIOR FOREIGN APPLICATION(S)

Priority Claimed

Number	Country	Day/Month/Year Filed	Date first Laid Open or Published	Date Patented/Granted	Yes	No
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I hereby claim the benefit under 35 U.S.C. §119/120/365 of any United States application(s) listed below and PCT International applications listed above or below and, if this is a Continuation-In-Part (CIP) insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

## PRIOR U.S. PROVISIONAL, NON-PROVISIONAL AND/OR PCT APPLICATION(S)

Priority Claimed

60/021,818 Application Serial No.	16 July 1996 Day/Month/Year Filed	Abandoned Status - patented, pending, abandoned	X Yes	No
08/893,300 Application Serial No.	15 July 1997 Day/Month/Year Filed	Pending Status - patented, pending, abandoned	X Yes	No

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
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WASHINGTON, D.C. 20231  
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Bib Data Sheet

CONFIRMATION NO. 3920

SERIAL NUMBER 09/808,558	FILING DATE 03/14/2001 RULE	CLASS 435	GROUP ART UNIT 1635	ATTORNEY DOCKET NO. GP068-05.CN3
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**APPLICANTS**

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**\*\* CONTINUING DATA \*\*\*\*\***

THIS APPLICATION IS A CON OF 09/565,427 05/05/2000  
WHICH IS A CON OF 08/893,300 07/15/1997 PAT 6,130,038  
WHICH CLAIMS BENEFIT OF 60/021,818 07/16/1996

**\*\* FOREIGN APPLICATIONS \*\*\*\*\*****IF REQUIRED, FOREIGN FILING LICENSE GRANTED****\*\* 05/08/2002**

Foreign Priority claimed	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	STATE OR COUNTRY	SHEETS DRAWING	TOTAL CLAIMS	INDEPENDENT CLAIMS
35 USC 119 (a-d) conditions met	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input type="checkbox"/> Met after Allowance	CA	9	42	2
Verified and Acknowledged	<i>M. Johnniel</i> Examiner's Signature Initials				

**ADDRESS**

21365

**TITLE**

Modified oligonucleotides and methods for determining the presence of a nucleic acid analyte in a sample

FILING FEE RECEIVED 1106	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees ( Filing ) <input type="checkbox"/> 1.17 Fees ( Processing Ext. of time ) <input type="checkbox"/> 1.18 Fees ( Issue ) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit
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